

**AGENDA**  
**North Miami City Council**  
776 N.E. 125<sup>th</sup> Street, 2<sup>nd</sup> Floor, Council Chambers  
North Miami, FL 33161

**REGULAR MEETING**

**TUESDAY, JANUARY 28, 2014**  
**7:00 P.M.**

**1. PLEDGE OF ALLEGIANCE**

*(Elyzabeth Estrada, Johnson & Wales University )*

**2. INVOCATION**

*(Pastor Cheryl Sejour, Gateway Family Foursquare)*

**3. CALL TO ORDER / ROLL CALL OF MEMBERS**

**4. ORDER OF BUSINESS** (Additions/Deletions/Amendments/Deferrals)

**5. SPECIAL PRESENTATION(s)**

- ◆ Recognition of *National Mentoring Month to the North Miami Mentor Program*
- ◆ Recognition of *Financial Wellness Month to Volunteer Income Tax Assistance Program (VITA) and the Bank of America Kids*
- ◆ Recognition to *North Miami Beach Senior High School Marching Band*, winning band from the 39<sup>th</sup> Annual Winternational Thanksgiving Day Parade
- ◆ Recognition to “Employee of the Quarter,” *Christina Hibbert, Lien Clerk* for Fall 2013
- ◆ Update regarding Cagni Park by *Janet Kelly, Miami-Dade County Schools*

**6. CITY EVENTS – ANNOUNCEMENT**

**7. CITIZENS’ FORUM**

**8. CONSENT AGENDA**

*UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH C CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:*

*“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH C BE ADOPTED...”*

**[TAB A]**

APPROVAL OF MINUTES – Regular Council Meeting – January 14, 2014

*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB B]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR A GRANT FROM THE OCCUPANT PROTECTION AND CHILD SAFETY PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Natasha Colebrook-Williams, Governmental Affairs Manager*

**[TAB C]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE ISSUANCE OF A CARNIVAL PERMIT ALLOWING FOR THE OPERATION OF MORE THAN THREE (3) AMUSEMENT RIDES TO ST. JAMES CATHOLIC CHURCH; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

**9. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.**

**9.A. RESOLUTIONS**

**[TAB D]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL COOPERATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE MIAMI-DADE COUNTY PROPERTY APPRAISER, THE MIAMI-DADE COUNTY TAX COLLECTOR AND THE CITY OF NORTH MIAMI, FOR THE COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF NORTH MIAMI; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Camelia Siguineau, Finance Director*

**[TAB E]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND KING ENGINEERING ASSOCIATES, INC., AS THE CONSULTANT FOR THE PROVISION OF WATER RESOURCE/WATER SUPPLY ENGINEERING SERVICES FOR THE DESIGN, PERMITTING AND GRANT

ASSISTANCE FOR THE ARCH CREEK NORTH/ARCH CREEK SOUTH DRAINAGE BASINS IMPROVEMENT PROJECT TO MITIGATE FLOODING WITHIN THE AREA BOUNDED ON THE NORTH-SIDE BY NORTHEAST 135<sup>TH</sup> STREET, ON THE SOUTH-SIDE BY NORTHEAST 126<sup>TH</sup> STREET, ON THE WEST-SIDE BY WEST DIXIE HIGHWAY, AND ON THE EAST-SIDE BY ARCH CREEK ROAD, IN ACCORDANCE WITH REQUEST FOR QUALIFICATIONS NO. 38-09-10 CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES, IN THE AMOUNT NOT EXCEED ONE HUNDRED NINETY-NINE THOUSAND NINE HUNDRED FIFTY-TWO DOLLARS (\$199,952.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Aleem Ghany, Public Works Director*

#### **[TAB F]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION RECOMMENDED TRAFFIC RE-ROUTING AND ROADWAY IMPROVEMENT PROJECT ALONG PORTIONS OF WEST DIXIE HIGHWAY, NORTHEAST 6TH AVENUE, AND NORTHEAST 125TH STREET; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE THE OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, TO DELINEATE THE RESPONSIBILITY FOR THE CONSTRUCTION AND MAINTENANCE OF PROJECT ROADWAY IMPROVEMENTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Aleem Ghany, Public Works Director*

#### **[TAB G]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A CONSENT AND SUBORDINATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI, RUDG-LHHA BEL HOUSE, LLC AND BANKUNITED, NA, ALLOWING FOR THE SUBORDINATION OF A MULTI-FAMILY RENTAL REHABILITATION LOAN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Tanya Wilson-Sejour, CP&D / Zoning Manager*

### **9.B. LEGISLATIVE MATTERS**

#### **9.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING**

**[NONE]**

#### **9.B.2. ORDINANCES – FIRST READING**

**[TAB H]**

PROPOSED ORDINANCE (***FIRST READING***) AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES, ENTITLED “BUILDING STANDARDS AND REGULATIONS” TO INCLUDE PROVISIONS FOR MAINTENANCE OF PROPERTY, LANDSCAPING, WALLS, FENCES, AND EXTERIOR PROPERTY AREAS; CREATING A LANDLORD REGISTRATION PROGRAM; AND PROVIDING FOR THE RELOCATION OF ARTICLE VII ENTITLED “ABANDONED REAL PROPERTY REGISTRATION” TO CHAPTER 12 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

*Sponsored by: Regine M. Monestime, City Attorney*

**[TAB I]**

PROPOSED ORDINANCE (***FIRST READING***) ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT TO THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN FUTURE LAND USE MAP, FOR AN AREA OF APPROXIMATELY 1.33 ACRES IN SIZE, ENCOMPASSING THE PROPERTIES LOCATED AT 1094 NORTHWEST 122<sup>ND</sup> STREET, 1092 NORTHWEST 122<sup>ND</sup> STREET, 1080 NORTHWEST 122<sup>ND</sup> STREET, 1075 NORTHWEST 121<sup>ST</sup> STREET, 1085 NORTHWEST 121<sup>ST</sup> STREET, AND 12105 NORTHWEST 11<sup>TH</sup> AVENUE, FROM LOW DENSITY RESIDENTIAL LAND USE DESIGNATION TO UTILITIES LAND USE DESIGNATION, IN ORDER TO ALLOW FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE WINSON WATER TREATMENT PLANT, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE SUBJECT SMALL SCALE LAND USE PLAN AMENDMENT, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

*Sponsored by: City Administration*

*Responsible Staff Person: Aleem Ghany, Public Works Director*

**9.C. QUASI-JUDICIAL ITEM(s)**

**[TAB J]**

PROPOSED ORDINANCE (***FIRST READING***) AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING THE CITY OF NORTH MIAMI OFFICIAL ZONING MAP REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF AN AREA OF APPROXIMATELY 1.33 ACRES IN SIZE, ENCOMPASSING SIX (6) PROPERTIES ADJACENT TO THE WINSON WATER TREATMENT PLANT, LOCATED AT 1094 NORTHWEST 122<sup>ND</sup> STREET, 1092 NORTHWEST 122<sup>ND</sup> STREET, 1080 NORTHWEST 122<sup>ND</sup> STREET, 1075 NORTHWEST 121<sup>ST</sup> STREET, 1085 NORTHWEST 121<sup>ST</sup> STREET, AND 12105 NORTHWEST 11<sup>TH</sup> AVENUE, FROM THE CURRENT R-2 (RESIDENTIAL) ZONING DESIGNATION TO PU (PLANNED USE) ZONING DESIGNATION, IN ORDER TO PROVIDE CONSISTENCY WITH THE LAND DEVELOPMENT REGULATIONS AND TO ALLOW FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH THE INTENT OF

THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

*Sponsored by: City Administration*

*Responsible Staff Person: Aleem Ghany, Public Works Director*

*(NOTE: Quasi-Judicial items will usually be Approve/Deny/Approve with Conditions.)*

**QUASI-JUDICIAL PUBLIC HEARINGS:** PLEASE BE ADVISED THAT THE ABOVE ITEM(S) ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. IF YOU WISH TO COMMENT UPON ANY OF THESE ITEMS, PLEASE INDICATE THE TAB NUMBER YOU WOULD LIKE TO ADDRESS WHEN THE ANNOUNCEMENT REGARDING THE QUASI-JUDICIAL ITEM IS MADE. AN OPPORTUNITY FOR PERSON(S) TO SPEAK ON EACH ITEM WILL BE MADE AVAILABLE AFTER THE APPLICANT AND STAFF HAS MADE THEIR PRESENTATIONS ON EACH ITEM.

**SWEARING IN:** ALL TESTIMONY, INCLUDING PUBLIC TESTIMONY AND EVIDENCE, WILL BE MADE UNDER OATH OR AFFIRMATION. ADDITIONALLY, EACH PERSON WHO GIVES TESTIMONY MAY BE SUBJECT TO CROSS-EXAMINATION. IF YOU DO NOT WISH TO BE EITHER CROSS-EXAMINED OR SWORN, YOUR TESTIMONY WILL BE GIVEN ITS DUE WEIGHT. THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO ASK QUESTIONS OF STAFF OR WITNESSES ON THEIR BEHALF. THE FULL AGENDA PACKET ON EACH ITEM IS HEREBY ENTERED INTO THE RECORD. PERSONS REPRESENTING ORGANIZATIONS MUST PRESENT EVIDENCE OF THEIR AUTHORITY TO SPEAK FOR THE ORGANIZATION. FURTHER DETAILS OF THE QUASI-JUDICIAL PROCEDURES MAY BE OBTAINED FROM THE CLERK. (IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER BEFORE ADDRESSING THE COUNCIL ON ANY OF THE FOLLOWING ITEMS). AT THIS TIME, COUNCILMEMBERS MUST DISCLOSE ANY EX-PARTE COMMUNICATIONS CONCERNING ANY ITEMS ON THE AGENDA. AT THIS TIME, THE CLERK WILL SWEAR IN ANY PERSON WHO WISHES TO TESTIFY ON ANY QUASI-JUDICIAL ITEM.

## **10. REQUESTS – PETITIONS – COMMUNICATIONS**

### **[TAB K]**

DISCUSSION AND SELECTION APPROVAL OF TWO ELECTED OFFICIALS TO BE DESIGNATED AS ONE DIRECTOR AND ONE AS AN ALTERNATE DIRECTOR TO THE MIAMI-DADE COUNTY LEAGUE OF CITIES' BOARD.

*Sponsored by: Mayor Lucie M. Tondreau*

### **[TAB L]**

DISCUSSION AND APPROVAL TO PURCHASE A TABLE IN SUPPORT OF FANM AYISYEN NAN MIYAMI / HAITIAN WOMEN OF MIAMI FOR ITS 21<sup>ST</sup> ANNIVERSARY CELEBRATION, MARCH 8, 2014.

*Sponsored by: Vice-Mayor Scott Galvin*

## **11. COUNCIL REPORTS**

Councilwoman Carol Keys, Esq.

Vice-Mayor Scott Galvin

Councilman Philippe Bien-Aime

Councilwoman Marie Erlande Steril

Mayor Lucie M. Tondreau

## **12. CITY CLERK'S REPORT**

## **13. CITY ATTORNEY'S REPORT**

## **14. CITY MANAGER'S REPORT**

## 15. ADJOURNMENT

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125<sup>TH</sup> STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125<sup>TH</sup> STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

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### ALCOHOLIC BEVERAGE SYMBOLS

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

### ZONING SYMBOLS

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

### ZONING SYMBOLS (continue)

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District